

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case	Date Filed
04-CA-130823	6/16/14

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer (1) Jo-Dan Enterprises d/b/a McDonald's, and/or (2) Jo-Dan Madalisse LTD, LLC d/b/a McDonald's, and (3) McDonald's USA, LLC as Joint or Single Employer		b. Tel. No. 215-232-5361
d. Address (Street, city, state, and ZIP code) (1) & (2) 1201 N. Broad St Philadelphia 19122 (3) McDonald's USA, LLC, One McDonald's Plaza, Oak Brook IL, 60523		c. Cell No.
e. Employer Representative (1) & (2) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (3) Gloria Santona		f. Fax No.
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant		g. e-Mail
j. Identify principal product or service Food service		h. Number of workers employed (1) Approx. 60
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)
Please see attached.

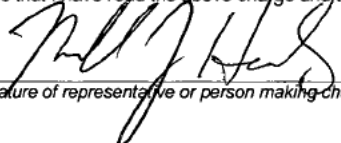
3. Full name of party filing charge (if labor organization, give full name, including local name and number)
Pennsylvania Workers Organizing Committee, a Project of the Fast Food Workers Committee

4a. Address (Street and number, city, state, and ZIP code) Pennsylvania Workers Organizing Committee c/o Fight for Philly 846 North Broad St. Philadelphia PA 19130	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No.
	4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
Pennsylvania Workers Organizing Committee, a Project of the Fast Food Workers Committee

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By 
(signature of representative or person making charge)

Michael J. Healey
(Print/type name and title or office, if any)

Tel. No. 412-391-1428

Office, if any, Cell No.

Fax No. 412-281-9509

e-Mail
mike@unionlawyers.net

Address 247 Ft. Pitt Blvd., 4th Floor, Pittsburgh PA 15222

6/11/14
(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Jo-Dan Enterprises d/b/a McDonald's, and/or Jo-Dan Madalisse LTD, LLC d/b/a McDonald's, and McDonald's USA, LLC as Joint or Single Employer

1201 N. Broad St, Philadelphia 19122

Attachment to charge

Since on or about May 14, 2014, the above-named employer, by its officers, agents and supervisors has interfered with, restrained and coerced its employees in the exercise of the rights guaranteed in Section 7 of the Act through engaging in the following acts and conduct with the goal of discouraging employees' participation in union activities and in retaliation for employees' participation in union activities, in particular, employees' participation in a one-day protected strike on May 15, 2014:

- Since on or about (b) (6), (b) (7)(C) 2014, the employer has reduced the work hours of employees (b) (6), (b) (7)(C).
- Since on or about (b) (6), (b) (7)(C) 2014, the employer has changed its lateness policy or engaged in discriminatory enforcement of its lateness policy. Employees (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) have received retaliatory disciplinary action under this policy after participating in a one-day protected strike on (b) (6), (b) (7)(C) 2014.
- Since on or about (b) (6), (b) (7)(C) 2014, the employer has changed its dress code policy or engaged in discriminatory enforcement of its dress code policy. Employees (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) have received retaliatory disciplinary action under this policy after participating in a one-day protected strike on (b) (6), (b) (7)(C) 2014.
- Since on or about (b) (6), (b) (7)(C) 2014, the employer has modified its cell phone policy or engaged in discriminatory enforcement of its cell phone policy.
- Since on or about (b) (6), (b) (7)(C) 2014, the employer has stated that it is more strictly enforcing existing work policies. On or about (b) (6), (b) (7)(C) 2014, the employer, through its agents (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) held a crew meeting where it distributed a new work policy and stated that existing policies would be more strictly enforced. On or about (b) (6), (b) (7)(C) 2014, the employer, through its agent (b) (6), (b) (7)(C) stated that employees' behavior was being more closely observed through surveillance cameras.
- On or about (b) (6), (b) (7)(C) 2014, the employer sent employee (b) (6), (b) (7)(C) home from (b) (6), (b) (7)(C) shift early in retaliation for (b) (6), (b) (7)(C) union activity, in particular, (b) (6), (b) (7)(C) participation in a one-day protected strike on (b) (6), (b) (7)(C) 2014.
- On or about (b) (6), (b) (7)(C) 2014, the employer, through its agent (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), made statements that organizing was futile; discouraged employees from engaging in union activity, including specifically the one-day protected strike on (b) (6), (b) (7)(C) 2014; and took photographs on (b) (6), (b) (7)(C) cell phone of a union organizer who was in the store, stating to employees that they could be disciplined or "written up" for speaking with the union organizer.

NxGen ACTION Slip

Case Name: <u>Jo-Dan / MED's</u>	Case Number: <u>4-CA-130823</u>
Agent: <u>Spears</u>	Supervisor: <u>Heller</u>
Category: <u>3</u>	

(1) Check the appropriate action
☒ Withdrawal Approval - Forward with recommendation
☐ Advice Issuance Action - Forward with draft
☐ Deferral Issuance - Forward with draft letter
☐ Dismissal Issuance - Forward with draft letter
☐ Settlement Approval - Forward with draft settlement
☐ Complaint - Forward draft complaint

(2) Check if partial

(3) Mark all allegation types that apply, as follows:
W = withdrawn not adjusted; X = adjusted
C = allegation type in Complaint
✓ = allegation type deferred
D = dismissed not adjusted; A = adjusted
S = allegation type settled

List Related Cases, if any:

INFORMATION TO CHARGING PARTY ON REASONS FOR PROPOSED DISMISSAL:

Before the charge is dismissed, have you:

- (1) Told the CP why the charge would be dismissed, absent withdrawal? ☒ Yes ☐ No
(2) Give the CP an opportunity to withdraw? ☐ Yes ☐ No
(3) Absent withdrawal, did you solicit a short-form dismissal letter? ☐ Yes ☐ No
(4) Did the CP agree to: (a) ☒ Withdraw the charge? OR (b) ☐ Accept a short-form dismissal letter?

IF YOU DID NOT SOLICIT A WITHDRAWAL REQUEST OR SHORT-FORM DISMISSAL LETTER, PLEASE EXPLAIN BELOW WHY YOU DID NOT DO SO:

REASON:

IF PARTIAL DISPOSITION, INDICATE:

Sections withdrawn or dismissed:

Sections remaining:

8(a)(1)

Coercive Actions (Surveillance, etc.)
Coercive Rules
Coercive Statements (Threats, Promises of Benefits, etc.)
Coerced Activities (Retaliation, Discharge, Discipline)
Denial of Access
Discharge of Supervisor (Parker Robb Chevrolet)
Interrogation (including polling)
Lawsuits
Weingarten

8(a)(2)

Assistance
Domination
Unlawful Recognition

8(a)(3)

Changes in Terms & Conditions of Employment
Discharge (including Layoff and Refusal to Hire (Not Salting))
Discipline
Lockout
Refusal to Consider/ hire Applicant (salting only)
Refusal to hire Majority
Refusal to Reinstate Employee/Striker (e.g. Laidlaw)
Retaliatory Lawsuit
Shutdown or Relocate/Subcontract Unit Work
Union Security Related Actions

8(a)(4)

Changes in Terms & Conditions of Employment
Discharge (including Layoff and Refusal to Hire)
Discipline
Refusal to Reinstate Employee/Striker
Shutdown or Relocate/Subcontract Unit Work

Alter Ego
Failure to Sign Agreement
Refusal to Bargain/Bad Faith Bargaining (including surface bargaining/direct dealing)
Refusal to Furnish Information
Refusal to Recognize
Repudiation /Modification of Contract [Sec 8(d)/Unilateral Changes]
Shutdown or Relocate (e.g. First National Maint.) Subcontract Work

8(b)(1)(A):

Coercion, including Statements and Violence
Denial of Access
Discipline (including charges/fines)
Harassment
Duty of Fair Representation, including Superseniority, denial of access
Hiring Halls
Picketing/Strike Actions
Rules Coercive
Union Dues and/or Membership Related (including accessing fees)

8(b)(1)(B)

Funds Contribution Related
Lawsuits
Other Allegations
Statements/Threats/Violence

8(b)(2)

Hiring Hall Related
Lawsuits
Union Security Related Actions

8(b)(3)

Refusal to Bargain/Bad Faith Bargaining or Surface Bargaining
Refusal to Furnish Information
Repudiation /Modification of Contract
Failure to Sign Agreement

8(b)(4)(A)

Statements

8(b)(4)(B)

Lawsuits/Grievances
Picketing/Handbidding
Statements

8(b)(4)(C)

Lawsuits/Grievances
Picketing
Statements

8(b)(4)(D)

All Allegations

8(b)(5)

All Allegations

8(b)(6)

All Allegations

8(b)(7)(A)

All Allegations

8(b)(7)(B)

All Allegations

8(b)(7)(C)

All Allegations

8(e)

All Allegations against a Labor Organization
All Allegations against an Employer

8(g)

All Allegations

REMEDIES SOUGHT

AFFIRMATIVE ACTIONS
BACKPAY AND REINSTATEMENT
FEES, DUES, FINES REFUNDED
RESTORATION OF RIGHTS
REMEDY SOUGHT/ENHANCED
REMEDY
ENHANCED REMEDIES
SPECIFY ENHANCED REMEDIES
HERE:



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 4
615 Chestnut St Ste 710
Philadelphia, PA 19106-4413

Agency Website: www.nlr.gov
Telephone: (215)597-7601
Fax: (215)597-7658



Download
NLRB
Mobile App

June 17, 2014

(b) (6), (b) (7)(C)

Jo-Dan Enterprises d/b/a McDonald's
1201 N. Broad Street
Philadelphia, PA 19122

Gloria Santona
McDonald's USA, LLC as Joint or Single Employer
One McDonald's Plaza
Oak Brook, IL 60523

(b) (6), (b) (7)(C)

Jo-Dan Madalisse LTD, LLC d/b/a McDonalds
1201 N. Broad Street
Philadelphia, PA 19122

Re: (1) Jo-Dan Enterprises d/b/a McDonald's,
and or (2) Jo-Dan Madalisse LTD, LLC
d/b/a McDonald's, and (3) McDonald's
USA, LLC as Joint or Single Employer
Case 04-CA-130823

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Attorney JENNIFER R. SPECTOR whose telephone number is (215)597-7647. If this Board agent is not available, you may contact RICHARD P. HELLER whose telephone number is (215)597-7633.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored

June 17, 2014

relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly. **Due to the nature of the allegations in the enclosed unfair labor practice charge, we have identified this case as one in which injunctive relief pursuant to Section 10(j) of the Act may be appropriate.** Therefore, in addition to investigating the merits of the unfair labor practice allegations, the Board agent will also inquire into those factors relevant to making a determination as to whether or not 10(j) injunctive relief is appropriate in this case. Accordingly, please include your position on the appropriateness of Section 10(j) relief when you submit your evidence relevant to the investigation.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

(1) Jo-Dan Enterprises d/b/a McDonald's, - 3 -
and or (2) Jo-Dan Madalisse LTD, LLC
d/b/a McDonald's, and (3) McDonald's
USA, LLC as Joint or Single Employer
Case 04-CA-130823

June 17, 2014

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in cursive script that reads "Dennis P. Walsh".

DENNIS P. WALSH
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

(1) Jo-Dan Enterprises d/b/a McDonald's, and or (2) Jo-Dan Madalisse LTD, LLC d/b/a McDonald's, and (3) McDonald's USA, LLC as Joint or Single Employer

CASE NUMBER

04-CA-130823

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$

YES

NO

B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: _____**10 ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**(1) JO-DAN ENTERPRISES D/B/A
MCDONALD'S, AND OR (2) JO-DAN
MADALISSE LTD, LLC D/B/A MCDONALD'S,
AND (3) MCDONALD'S USA, LLC AS JOINT
OR SINGLE EMPLOYER**

Case 04-CA-130823

Charged Party

and

**PENNSYLVANIA WORKERS ORGANIZING
COMMITTEE C/O FIGHT FOR PHILLY**

Charging Party

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on June 17, 2014, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

Jo-Dan Enterprises d/b/a McDonald's
1201 N. Broad Street
Philadelphia, PA 19122

Gloria Santona
McDonald's USA, LLC as Joint or Single Employer
One McDonald's Plaza
Oak Brook, IL 60523

(b) (6), (b) (7)(C)

Jo-Dan Madalisse LTD, LLC d/b/a McDonalds
1201 N. Broad Street
Philadelphia, PA 19122

June 17, 2014

Date

Jane Peterson, Designated Agent of NLRB
Name

/s/ Jane Peterson

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 04
615 Chestnut St Ste 710
Philadelphia, PA 19106-4413

Agency Website: www.nlrb.gov
Telephone: (215)597-7601
Fax: (215)597-7658

June 17, 2014

Pennsylvania Workers Organizing Committee
c/o Fight for Philly
846 N. Broad Street
Philadelphia, PA 19130

Re: (1) Jo-Dan Enterprises d/b/a McDonald's,
and or (2) Jo-Dan Madalisse LTD, LLC
d/b/a McDonald's, and (3) McDonald's
USA, LLC as Joint or Single Employer
Case 04-CA-130823

Dear Sir or Madam:

The charge that you filed in this case on June 16, 2014 has been docketed as case number 04-CA-130823. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Attorney JENNIFER R. SPECTOR whose telephone number is (215)597-7647. If this Board agent is not available, you may contact RICHARD P. HELLER whose telephone number is (215)597-7633.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

(1) Jo-Dan Enterprises d/b/a McDonald's,
and or (2) Jo-Dan Madalisse LTD, LLC
d/b/a McDonald's, and (3) McDonald's
USA, LLC as Joint or Single Employer
Case 04-CA-130823

- 2 -

June 17, 2014

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Dennis P. Walsh". The signature is fluid and cursive, with the first name "Dennis" and last name "Walsh" clearly legible.

DENNIS P. WALSH
Regional Director

cc: Michael J. Healey, Esquire
Healy & Hornack, P.C.
247 Fort Pitt Boulevard, 4th Floor
Pittsburgh, PA 15222



Healey and Hornack, P.C.
ATTORNEYS AT LAW

Michael J. Healey
Joseph S. Hornack
Glen S. Downey
Jules Lobel, OF COUNSEL

247 Fort Pitt Boulevard
4th Floor
Pittsburgh, PA 15222

PHONE 412.391.7711
TOLL FREE 888.391.6944
FAX 412.281.9509

Direct Dial: 412-391-1428
mike@unionlawyers.net

June 11, 2014

Dennis Walsh
Regional Director,
NLRB Region 4
615 Chestnut Street
Philadelphia, PA. 19106-4404

RE: Fast Food Workers Committee (and McDonalds)

Dear Mr. Walsh:

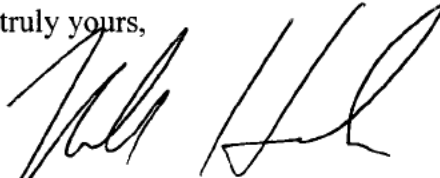
Enclosed please find for your consideration and processing an original and 4 copies of unfair labor practice charges in the above captioned matter. The charges relate to an aspect in Philadelphia of what has been referred to as "fast food workers strikes/organizing" The charges are self- explanatory and are detailed in the narrative section of the charge.

Jennifer Spector in your office has been handling related matters concerning this same employer, though at a different location. There are a number of witnesses who have facts relevant to the allegations who can be produced for interviews. Ceilidh ("Kay Lee") will be the contact person , will coordinate times for interviews, and get witnesses to your office. Her phone number is 202-286-5502, and she is copied on this letter and the charge.

Please have your staff contact me at your earliest convenience and I can begin making arrangements to set up interviews. Copies of this charge have been served on the respondent(s) at the addresses noted on the charge.

I would anticipate wishing to file a brief position statement shortly after the interviews in this matter are complete. Please have a member of your staff contact me at their earliest convenience.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Michael Healey', written over a horizontal line.

Michael Healey
Attorney for Charging Party

Enclosures: Multiple

cc: Ceilidh Gao (via e mail)

(b) (6), (b) (7)(C)

Gloria Santona

Case Name: (1) Jo-Dan Enterprises d/b/a McDonald's, and or (2) Jo-Dan Madalisse LTD, LLC
d/b/a McDonald's, and (3) McDonald's USA, LLC as Joint or Single Employer

Case No. 04-CA-130823

Agent: Attorney JENNIFER R. SPECTOR

CASEHANDLING LOG

[illegible]

From: [Spector, Jennifer R.](#)
To: [Ceilidh Gao](#)
Subject: RE: Jo-Dan
Date: Friday, June 20, 2014 2:53:37 PM

Any progress?

Jennifer Roddy Spector
Senior Field Attorney
National Labor Relations Board, Region 4
615 Chestnut Street, Suite 710
Philadelphia, Pennsylvania 19106-4413
215-597-7647 (*please note new number*)
215-597-7658 (fax)
www.nlrb.gov
jennifer.spector@nlrb.gov

From: Ceilidh Gao <ceilidh.gao@seiu.org>
Sent: Thursday, June 19, 2014 2:55 PM
To: Spector, Jennifer R.
Subject: Jo-Dan

Hi Jennifer, I just wanted to let you know we did not forget about you! (Just having some difficulty getting everyone on the phone, a recurrent problem for workers living check to check...) FYI we are on it and will get times to you as soon as we can.

Thanks so much,

Ceilidh

Ceilidh "Kay-Lee" Gao

Law Fellow | Service Employees International Union (SEIU)
W: 202-730-7489 | C: 202-286-5502 | ceilidh.gao@seiu.org

From: [Spector, Jennifer R.](#)
To: ["Ceilidh Gao"](#)
Cc: [Mike Healey](#)
Subject: RE: Jo-Dan Enterprises, et al, 4-CA-130823
Date: Tuesday, June 24, 2014 10:30:00 AM

Ok, please let me know by the end of the day tomorrow if you prefer to withdraw or have the charge dismissed for non-cooperation. Please don't let my schedule be an impediment if you have the witnesses available and want to re-file before July 7 – I'm sure we can arrange to have another agent available!

Jennifer Roddy Spector
Senior Field Attorney
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From: Ceilidh Gao [<mailto:ceilidh.gao@seiu.org>]
Sent: Tuesday, June 24, 2014 10:16 AM
To: Spector, Jennifer R.
Cc: Mike Healey
Subject: RE: Jo-Dan Enterprises, et al, 4-CA-130823

Hi Jennifer, We continue to have trouble connecting with folks. I will let you know when we do.

If we do not arrange an affidavit by Wednesday, I understand we will need to withdraw and refile - workers won't know their schedules for the week of July 7 until shortly before the week begins, so I'll be in touch closer to then if that's the case. Thanks so much for your flexibility.

Ceilidh

—
Sent from my mobile device.

On Mon, Jun 23, 2014 at 11:29 AM, Spector, Jennifer R. <Jennifer.Spector@nlrb.gov> wrote:

You will need to withdraw and re-file if they can't appear by Wednesday, but I'm certainly happy to hold some date(s) pending re-filing. In fact, you could even bring the charge for filing with you when you come in with the witnesses. However, I will be on vacation next week, so if you want to do it then, it's not a problem, but the charge will be assigned to another agent. The week of July 7, I could hold Monday, Wednesday, and/or Friday, and Thursday of this week is also a possibility.

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jennifer.spector@nlrb.gov

From: Ceilidh Gao [<mailto:ceilidh.gao@seiu.org>]
Sent: Monday, June 23, 2014 11:25 AM
To: Spector, Jennifer R.
Subject: Re: Jo-Dan Enterprises, et al, 4-CA-130823

Hi Jennifer, so we know that two of the folks (b) (6), (b) (7)(C) can't make it this (b) (6), (b) (7)(C) Playing phone tag with (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) so I can email you late today.

What's your availability like the rest of the week or the one after that?

We understand if we will have to withdraw and refile. Thanks so much for your flexibility, it is much appreciated!

—
Sent from my mobile device.

On Fri, Jun 20, 2014 at 3:03 PM, Spector, Jennifer R. <Jennifer.Spector@nlrb.gov> wrote:

That's fine, but if we can't get them in by close of business Wednesday, I'll have to recommend that the Region dismiss this charge for non-cooperation - or you could just withdraw it and refile once you have the witnesses lined up. I'm always happy to hold some time in advance, if you want to proceed that way.

Jennifer Roddy Spector
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jennifer.spector@nlrb.gov

From: Ceilidh Gao [<mailto:ceilidh.gao@seiu.org>]
Sent: Friday, June 20, 2014 2:55 PM
To: Spector, Jennifer R.
Subject: Re: Jo-Dan

Hi Jennifer, I was just emailing you - (b) (6), (b) (7)(C)
We will let you know about Tuesday and
Wednesday very soon. Thanks so much.

Ceilidh "Kay-Lee" Gao
Law Fellow | Service Employees International Union (SEIU)
W: 202-730-7489 | C: 202-286-5502 | ceilidh.gao@seiu.org

On Thu, Jun 19, 2014 at 2:56 PM, Spector, Jennifer R. <Jennifer.Spector@nlrb.gov>
wrote:

Thanks, if we have to piecemeal with individual appointments for each, that's fine – don't worry
about getting them all on the same day.

Jennifer Roddy Spector
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From: Ceilidh Gao [<mailto:ceilidh.gao@seiu.org>]
Sent: Thursday, June 19, 2014 2:55 PM
To: Spector, Jennifer R.
Subject: Jo-Dan

Hi Jennifer, I just wanted to let you know we did not forget about you! (Just having some
difficulty getting everyone on the phone, a recurrent problem for workers living check to
check...) FYI we are on it and will get times to you as soon as we can.

Thanks so much,

Ceilidh

Ceilidh "Kay-Lee" Gao

Law Fellow | Service Employees International Union (SEIU)

W: [202-730-7489](tel:202-730-7489) | C: [202-286-5502](tel:202-286-5502) | ceilidh.gao@seiu.org

From: [Mike Healey](#)
To: [Spector, Jennifer R.](#); [Ceilidh Gao](#)
Subject: RE: Jo-Dan Enterprises, et al, 4-CA-130823 - Witness Affidavits
Date: Wednesday, June 25, 2014 5:45:44 PM

Thank you

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Spector, Jennifer R."
Date: 06/25/2014 5:37 PM (GMT-05:00)
To: Ceilidh Gao
Cc: Mike Healey
Subject: RE: Jo-Dan Enterprises, et al, 4-CA-130823 - Witness Affidavits

I will process this for withdrawal. Please have someone bring a new one with (b) (6), (b) (7)(C) on the (b) (6), (b) (7)(C) or you could just fax it in that morning. I'll let you know who will be covering the affidavits as soon as I know.

Jennifer Roddy Spector
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www.nlr.gov
jennifer.spector@nlrb.gov

From: Ceilidh Gao [mailto:ceilidh.gao@seiu.org]
Sent: Wednesday, June 25, 2014 5:35 PM
To: Spector, Jennifer R.
Cc: Mike Healey
Subject: Re: Jo-Dan Enterprises, et al, 4-CA-130823 - Witness Affidavits

Hi Jennifer - Yes, we are authorized to withdraw the union's charge at this time. We will refile when (b) (6), (b) (7)(C) comes in. Thanks so much for your flexibility on this front!

Ceilidh "Kay-Lee" Gao
Law Fellow | Service Employees International Union (SEIU)
W: 202-730-7489 | C: 202-286-5502 | ceilidh.gao@seiu.org

On Wed, Jun 25, 2014 at 5:13 PM, Spector, Jennifer R. <Jennifer.Spector@nlrb.gov> wrote:
I'm sure we can make someone available on (b) (6), (b) (7)(C) but I'm not sure who was covering (b) (6), (b) (7)(C) – so I will have to let you know. Are you, or Mike, authorized to withdraw the charge on behalf of the Union at this time?

Jennifer Roddy Spector
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jennifer.spector@nlrb.gov

From: Ceilidh Gao [mailto:ceilidh.gao@seiu.org]
Sent: Wednesday, June 25, 2014 5:11 PM
To: Spector, Jennifer R.
Subject: Re: Jo-Dan Enterprises, et al, 4-CA-130823 - Witness Affidavits

Hi Jennifer, So (b) (6), (b) (7)(C) is available next (b) (6), (b) (7)(C), 2014 at 10:00AM. I assume the same agent will have this time?

Thanks so much!

Ceilidh "Kay-Lee" Gao
Law Fellow | Service Employees International Union (SEIU)
W: [202-730-7489](tel:202-730-7489) | C: [202-286-5502](tel:202-286-5502) | ceilidh.gao@seiu.org

On Tue, Jun 24, 2014 at 5:02 PM, Spector, Jennifer R. <Jennifer.Spector@nlrb.gov> wrote:
Sounds good. I'll let you know as soon as someone is assigned to cover on July 3, and keep me posted on (b) (6), (b) (7)(C)

Jennifer Roddy Spector
Senior Field Attorney
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jennifer.spector@nlrb.gov

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Sent: Tuesday, June 24, 2014 3:03 PM
To: Spector, Jennifer R.
Cc: (b) (6), (b) (7)(C)
Subject: Jo-Dan Enterprises, et al, 4-CA-130823 - Witness Affidavits

Hi Jennifer,

Thanks for chatting with me. So, (b) (6), (b) (7)(C) is available to give (b) (6), (b) (7)(C) affidavit on (b) (6), (b) (7)(C), 2014 at 11AM. (b) (6), (b) (7)(C) will be accompanied by (b) (6), (b) (7)(C), cc'd here and also reachable by cell phone at (b) (6), (b) (7)(C) should anything come up the day of.

As we mentioned on the phone, I'll let you know if (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). If (b) (6), (b) (7)(C) is not, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) will bring in a copy of the charge for refiling on (b) (6), (b) (7)(C).

We look forward to hearing who the Board Agent for (b) (6), (b) (7)(C) will be, and hopefully we can squeeze in an affidavit this week too! Thanks so much.

Ceilidh

Ceilidh "Kay-Lee" Gao

Law Fellow | Service Employees International Union (SEIU)

W: [202-730-7489](tel:202-730-7489) | C: [202-286-5502](tel:202-286-5502) | ceilidh.gao@seiu.org

Spector, Jennifer R.

From: Ceilidh Gao [ceilidh.gao@seiu.org]
Sent: Wednesday, June 25, 2014 5:35 PM
To: Spector, Jennifer R.
Cc: Mike Healey
Subject: Re: Jo-Dan Enterprises, et al, 4-CA-130823 - Witness Affidavits

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Ceilidh "Kay-Lee" Gao
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WITHDRAWAL REQUEST APPROVED:

Dennis P. Walsh

Regional Director

DATE: 6/26/14

On Wed, Jun 25, 2014 at 5:13 PM, Spector, Jennifer R. <Jennifer.Spector@nrlb.gov> wrote:

I'm sure we can make someone available on (b) (6), (b) (7)(C) but I'm not sure who was covering (b) (6), (b) (7)(C) - so I will have to let you know. Are you, or Mike, authorized to withdraw the charge on behalf of the Union at this time?

Jennifer Roddy Spector

Senior Field Attorney

National Labor Relations Board, Region 4

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jennifer.spector@nrlb.gov

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Sent: Wednesday, June 25, 2014 5:11 PM
To: Spector, Jennifer R.
Subject: Re: Jo-Dan Enterprises, et al, 4-CA-130823 - Witness Affidavits

Hi Jennifer, So (b) (6), (b) (7)(C) is available next Wednesday, (b) (6), (b) (7)(C) 2014 at 10:00AM. I assume the same agent will have this time?

Thanks so much!

Ceilidh "Kay-Lee" Gao

Law Fellow | Service Employees International Union (SEIU)

W: 202-730-7489 | C: 202-286-5502 | ceilidh.gao@seiu.org

On Tue, Jun 24, 2014 at 5:02 PM, Spector, Jennifer R. <Jennifer.Spector@nlrb.gov> wrote:

Sounds good. I'll let you know as soon as someone is assigned to cover on (b) (6), (b) (7)(C) and keep me posted on (b) (6), (b) (7)(C)

Jennifer Roddy Spector

Senior Field Attorney

National Labor Relations Board, Region 4

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Philadelphia, Pennsylvania 19106-4413

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jennifer.spector@nlrb.gov

From: Ceilidh Gao [mailto:ceilidh.gao@seiu.org]

Sent: Tuesday, June 24, 2014 3:03 PM

To: Spector, Jennifer R.

Cc: (b) (6), (b) (7)(C)

Subject: Jo-Dan Enterprises, et al, 4-CA-130823 - Witness Affidavits

Hi Jennifer,

Thanks for chatting with me. So, (b) (6), (b) (7)(C) is available to give (b) (6), (b) (7)(C) affidavit on (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) 2014 at 11AM. (b) (6), (b) (7)(C) will be accompanied by (b) (6), (b) (7)(C) cc'd here and also reachable by cell phone at (b) (6), (b) (7)(C) should anything come up the day of.

As we mentioned on the phone, I'll let you know if (b) (6), (b) (7)(C) is (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) If (b) (6), (b) (7)(C) is not (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) will bring in a copy of the charge for refiling on (b) (6), (b) (7)(C).

We look forward to hearing who the Board Agent for (b) (6), (b) (7)(C) will be, and hopefully we can squeeze in an affidavit this week too! Thanks so much.

Ceilidh

Ceilidh "Kay-Lee" Gao

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 04
615 Chestnut St Ste 710
Philadelphia, PA 19106-4413

Agency Website: www.nlrb.gov
Telephone: (215)597-7601
Fax: (215)597-7658

June 26, 2014

Joseph A. Hirsch, Esq.
Hirsch & Hirsch
110 Bala Ave Fl 3
Bala Cynwyd, PA 19004-3032

Doreen S. Davis, Esq.
Jones Day
222 East 41st Street
New York, NY 10017-6702

Andrew G. Madsen, Esq.
Jonathan M Linas, Esq.
Jones Day
77 W. Wacker Drive, Suite 3500
Chicago, IL 60601-1701

Re: (1) Jo-Dan Enterprises d/b/a McDonald's,
and or (2) Jo-Dan Madalisse LTD, LLC
d/b/a McDonald's, and (3) McDonald's
USA, LLC as Joint or Single Employer
Case 04-CA-130823

Ladies and Gentlemen:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

DENNIS P. WALSH
Regional Director

cc: Jo-Dan Enterprises d/b/a McDonald's
1201 N. Broad Street
Philadelphia, PA 19122

(1) Jo-Dan Enterprises d/b/a McDonald's,
and or (2) Jo-Dan Madalisse LTD, LLC
d/b/a McDonald's, and (3) McDonald's
USA, LLC as Joint or Single Employer
Case 04-CA-130823

- 2 -

June 26, 2014

Michael J. Healey, Esq.
Healy & Hornack, P.C.
247 Fort Pitt Boulevard, 4th Floor
Pittsburgh, PA 15222

Pennsylvania Workers Organizing
Committee c/o Fight for Philly
846 N. Broad Street
Philadelphia, PA 19130

Jo-Dan Madalisse LTD, LLC d/b/a
McDonalds
1201 N. Broad Street
Philadelphia, PA 19122

Gloria Santona
McDonald's USA, LLC as Joint
or Single Employer
One McDonald's Plaza
Oak Brook, IL 60523

**NATIONAL LABOR RELATIONS BOARD
FOURTH REGION
ROUTING SLIP**

Routing Sequence	Jo-Dan Enterprises/Jo-Dan Madalisse/McDonald's USA, LLC Case No.4-CA-130823 Category 3	Initials	Date Forwarded
	Regional Director Walsh		
	Regional Attorney Halevy		
3	Assistant to the Regional Director Maier	lm	6/26
2	Deputy Regional Attorney Heller	Ra	6/25
	Supervisor		
1	Agent Spector	JS	6/25/2014
	Compliance Officer Thurman		
4	RD Secretary		6/26/14
	Compliance Assistant		Rx
	Issuing Secretary		JW
	Election Assistant Marafioti		m
	Other		

Ag Min/FIR must be eFiled upon RD's approval
(a copy in every subject file, and in the master related file, if any)

Completed: Date 6/26/14

Sec'y Initials Lym

If Withdrawal: ☐ Determination
(Check one)

☒ No Determination

Stamp 